

for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

Also, resolutions of the thirty-fourth annual encampment of the Department of Pennsylvania, Grand Army of the Republic, in relation to the National Memorial Park at Gettysburg, Pa.—to the Committee on Appropriations.

By Mr. BULL: Petition of the New England Drug Exchange, for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

Also, papers to accompany House bill for the relief of Jeremiah Law—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Petition of A. A. Howes & Co., of Belfast, Me., for the repeal of the war-revenue tax on tea—to the Committee on Ways and Means.

By Mr. CAPRON: Petition of John Metzger, of Providence, R. I., for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. CONNELL: Petition of Southern Nurserymen's Association, of Winchester, Tenn., favoring uniform regulations governing the transportation of nursery stock, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. COUSINS: Petition of F. M. Miliken, of Marshalltown, Iowa, and other citizens of Iowa, favoring a graded service-pension bill—to the Committee on Invalid Pensions.

By Mr. CROMER: Petition of F. L. Shinkle and others, of Muncie, Ind., for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. DOUGHERTY: Petition of David Craner and other citizens of Albany, Mo., for the relief of Hudson M. Rice—to the Committee on Invalid Pensions.

Also, petition of George W. Drake, to accompany House bill granting him a pension—to the Committee on Invalid Pensions.

By Mr. GAMBLE: Resolutions of board of county commissioners of Codington County, S. Dak., favoring an appropriation for the storage of the flood waters of the Big Sioux River in Lake Kampaska and other lakes at the head waters of said river—to the Committee on Rivers and Harbors.

By Mr. GROUT: Testimony to accompany House bill granting a pension to John W. Newton—to the Committee on Invalid Pensions.

Also, testimony to accompany House bill granting a pension to Lieut. Col. Harry N. Worthen—to the Committee on Invalid Pensions.

Also, petition of the Southern Nurserymen's Association, relating to the transportation of nursery stock—to the Committee on Interstate and Foreign Commerce.

By Mr. GROSVENOR: Resolutions of the Woman's Christian Temperance Union of Vigo, Ohio, against the sale of intoxicating liquors in our new possessions—to the Committee on Insular Affairs.

Also, petition of Winfield Scott Garrison and George Washington Garrison, Army and Navy Union, for the enactment of laws for ex-soldiers of the Army and Navy, regulating admission of same to hospitals—to the Committee on Military Affairs.

By Mr. HOFFECKER: Papers to accompany House bill granting a pension to Thomas Clark—to the Committee on Invalid Pensions.

By Mr. JACK: Petition of the Young People's Society of Christian Endeavor of the Church of God, Alverton, Pa., and R. S. Wallace and others, of New Alexandria, Pa., favoring uniform marriage and divorce laws and certain other measures—to the Committee on the Judiciary.

By Mr. LEVY: Resolutions of the Chamber of Commerce of New York, urging the passage of a bill authorizing the Secretary of the Treasury to exchange gold coin for any other money coined by the United States whenever it may be necessary to do so—to the Committee on Banking and Currency.

By Mr. LITTLEFIELD: Petition of James J. Mayer and 450 other citizens of the State of Maine, for the repeal of stamp taxes on insurance policies—to the Committee on Ways and Means.

By Mr. LIVINGSTON: Papers to accompany House bill for the relief of George W. Symmes—to the Committee on Military Affairs.

By Mr. McALEER: Petition of the Philadelphia Board of Trade, urging a reduction of the war-revenue tax of June 13, 1898—to the Committee on Ways and Means.

Also, petition of the Southern Nurserymen's Association, of Winchester, Tenn., favoring uniform regulations governing the transportation of nursery stock, etc.—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Philadelphia Commercial Exchange and petition of Barker & Co., Philadelphia, urging the repeal of the stamp act—to the Committee on Ways and Means.

Also, petition of Cover, Drayton & Leonard, of Philadelphia, Pa., protesting against the duty on hides—to the Committee on Ways and Means.

By Mr. McDOWELL: Petitions of O. A. Hills and other citizens of Wooster, Ohio, and vicinity, in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petition of Elizabeth J. Ogden, of Canal Dover, Ohio, to accompany House bill granting her a pension—to the Committee on Invalid Pensions.

By Mr. MOON: Papers to accompany House bill to investigate the pension of William Robinson—to the Committee on Invalid Pensions.

Also, petition of Mrs. Samuella D. (Burwell) Abernathy, for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. NEVILLE: Petition of P. L. Harper, of Wallace, Nebr., urging reduction of tax on banks—to the Committee on Ways and Means.

By Mr. OTEY: Petition of the Society of the Colonial Dames of America, in favor of the bill for the purchase of Temple Farm, at Yorktown, Va.—to the Committee on Military Affairs.

By Mr. OTJEN: Resolutions of the Interstate Commerce Law Convention, held at St. Louis, Mo., asking for the passage of Senate bill No. 1439, to amend the interstate-commerce law so as to provide for the enforcement of the provisions regulating transportation rates—to the Committee on Interstate and Foreign Commerce.

By Mr. PHILLIPS: Paper to accompany House bill granting a pension to Oscar Brewster—to the Committee on Invalid Pensions.

By Mr. RIXEY: Memorial of George C. Round, of Manassas, Va., praying that the National Government take steps to acquire possession of Bull Run battlefield—to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana: Petition of F. H. Foust & Co., of Columbia City, Ind., praying for a reduction of the war-revenue tax—to the Committee on Ways and Means.

Also, petition of E. L. McLallen & Co., of Columbia City, Ind., to reduce the war tax on bank capital and surplus—to the Committee on Ways and Means.

Also, petition of John W. Sale, of Fort Wayne, Ind., on the subject of tax on toll line messages—to the Committee on Ways and Means.

By Mr. SAMUEL W. SMITH: Petition of Henry W. Smith and others, serving as jurors in the United States court at Detroit, to increase the pay of jurymen in the United States court from \$3 to \$3 per day—to the Committee on the Judiciary.

By Mr. STEWART of New Jersey: Petition of H. Rowland Vermilye and other citizens of Englewood, N. J., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. SUTHERLAND: Resolutions of the Anti-Saloon League of Curtis, Nebr., and the Congregational Church of South Platte, Nebr., against island saloons and canteens—to the Committee on Military Affairs.

Also, petition of citizens of Bladen and Franklin, Nebr., to accompany House bill No. 6834, for the relief of Nathan W. Snee—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: Petition of Patrick H. Etheridge and others, keepers of various life-saving stations, to increase the pay of keepers to \$100 per month—to the Committee on Interstate and Foreign Commerce.

By Mr. VREELAND: Petition of Young People's Society of Christian Endeavor of Fillmore, N. Y., against the sale of intoxicating liquors in our new possessions—to the Committee on Insular Affairs.

## SENATE.

SATURDAY, December 15, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

### LANDS IN THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, together with a communication from Col. Theodore A. Bingham, the officer in charge of the office of public buildings and grounds in the city of Washington, calling attention to the fact that through inadvertence square 495 was omitted from the list heretofore transmitted to the Senate in response to its resolution of January 27, 1898, etc.; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

## THE GATHMANN GUN.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting certain information from the Chief of Ordnance, United States Army, relative to the construction of one 18-inch Gathmann gun and the test of the same; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

## ELECTORAL VOTE OF NEW HAMPSHIRE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a certified copy of the final ascertainment of the electors for President and Vice-President appointed in the State of New Hampshire at the election held therein on the 6th day of November, 1900; which, with the accompanying papers, was ordered to lie on the table.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 281) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1900, on the 20th day of said month; in which it requested the concurrence of the Senate.

## PETITIONS AND MEMORIALS.

Mr. McMILLAN presented petitions of sundry citizens of Lapeer; of the Woman's Club of Adrian; of the Winter Study Club, of Dearborn; of the Diversity Literary Club, of Detroit; of sundry citizens of Shelby, and of the Woman's Union of the Forest Avenue Presbyterian Church, of Detroit; of the Woman's Missionary Society of Sault Ste. Marie; of the Twentieth Century Club, of Detroit; of sundry citizens of Harbor Beach and Lapeer; of the congregation of the Methodist Protestant Church of Lapeer; of the Woman's Baptist Missionary Union of Detroit, and of sundry citizens of Croton and Detroit, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the First Baptist and First Presbyterian churches of Flushing; of sundry citizens of Flushing and Parma, all in the State of Michigan, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the insular possessions of the United States; which were referred to the Committee on Pacific Islands and Porto Rico.

He also presented petitions of Caldwell Post, No. 365, Department of Michigan, Grand Army of the Republic, of Lake City; of Phil Kearny Post, No. 7, Department of Michigan, Grand Army of the Republic, of Muskegon, and of Albert Jackson Post, No. 300, Department of Michigan, Grand Army of the Republic, of Marquette, all in the State of Michigan, praying for the enactment of legislation giving preference to veterans in the public service; which were referred to the Committee on Military Affairs.

Mr. KEAN presented seven petitions of citizens of New Jersey, praying for the enactment of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented sundry petitions of citizens of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were referred to the Committee on Military Affairs.

He also presented sundry petitions of citizens of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. BARD presented a petition of sundry citizens of southern California, praying for the removal of the control of the forestry service from the General Land Office, Department of the Interior, to the Division of Forestry, Department of Agriculture; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. NELSON presented a petition of the city council of Thief River Falls, Minn., praying that an appropriation be made for the improvement of the Red Lake River, in that State; which was referred to the Committee on Commerce.

He also presented a petition of 20 citizens of Minnesota, praying for the enactment of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Owatonna, Minn., praying for the repeal of the revenue stamp tax on legacies, so as to relieve the Pillsbury Academy, at that place, from the payment of said tax on a legacy recently left that institution; which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of St. Paul, Minn., praying for the repeal of the internal-revenue tax on insurance policies, conveyances, mortgages, etc.; which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of St. Paul, Minn., praying that an appropriation be made for certain improvements at Fort Snelling, in that State; which was referred to the Committee on Military Affairs.

He also presented memorials of sundry citizens of Red Lake Falls, Nelson, St. James, Young America, Morton, Tenney, Brownsville, and West Concord, all in the State of Minnesota, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SPOONER presented the petition of J. L. Atkinson and 82 other citizens of Bayfield, Wis., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Wisconsin State Grange, Patrons of Husbandry, praying for the enactment of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's Christian Temperance Union; of the congregations of the Methodist Episcopal Church, the Church of Christ, and the Congregational Church, and of sundry citizens, all of Platteville, in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens and to the inhabitants of the new island possessions of the United States; which was referred to the Committee on Military Affairs.

## REPORTS OF COMMITTEES.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (S. 3680) granting a pension to Mary Elizabeth Moore, reported it with an amendment, and submitted a report thereon.

Mr. PRITCHARD. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 9835) to establish a code of law for the District of Columbia, to report it with amendments. I reserve the right to offer certain amendments to the bill.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

## DAVID S. SNYDER.

Mr. ALLEN. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 9043) granting an increase of pension to David S. Snyder, to report it favorably without amendment. It is a House bill, and in view of the fact that the applicant is some 83 or 84 years old I ask for its present consideration.

By unanimous consent, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David S. Snyder, late captain of Company K, Forty-eighth Regiment Indiana Volunteer Infantry, and to pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## BILLS INTRODUCED.

Mr. FAIRBANKS introduced a bill (S. 5197) granting a pension to John D. Stoner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5198) granting a pension to Nathaniel M. Gregg; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TURLEY introduced a bill (S. 5199) to regulate the practice in the United States courts as to appeals and writs of error; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. TALIAFERRO (by request) introduced a bill (S. 5200) for the relief of the estate of Henry Von Balsan, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PRITCHARD introduced a bill (S. 5201) granting a pension to Samuel F. Radford; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 5202) for the reduction of interest penalties on arrears in taxes and special assessments in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 5203) to provide a list of fees appertaining to the probate court of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McCUMBER introduced a bill (S. 5204) granting an increase of pension to John Scott; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5205) granting an increase of pension to Joseph H. Ottey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 5206) for the relief of George F. Brott; which was read twice by its title, and referred to the Committee on Claims.

Mr. MCOMAS introduced the following bills; which were

severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5207) for the relief of William A. Gordon, administrator of the estate of William D. C. Murdock, deceased;

A bill (S. 5208) for the relief of Gottlieb Feldmeyer (with an accompanying paper); and

A bill (S. 5209) for the relief of Milton F. Colburn, administrator of the estate of Gilbert Colburn, deceased (with an accompanying paper).

Mr. McENERY introduced a bill (S. 5210) for the relief of Mrs. Dosite Broussard; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 5211) to fix the compensation of district superintendents in the Life-Saving Service; which was read twice by its title, and, with an accompanying extract from the report of the Superintendent of the Life-Saving Service, which was ordered to be printed, referred to the Committee on Commerce.

Mr. SULLIVAN introduced a bill (S. 5212) for the relief of the heirs of Rachael Sloan, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

#### AMENDMENT TO LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. PLATT of Connecticut submitted an amendment proposing to increase the salary of the chief clerk of the Court of Claims from \$3,000 to \$4,000, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

JENNIE L. POTTER.

Mr. NELSON submitted the following resolution; which, with the accompanying paper, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Jennie L. Potter, widow of George F. Potter, deceased, late a messenger of the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

#### DOCUMENTARY HISTORY OF THE CONSTITUTION.

Mr. McMILLAN submitted the following concurrent resolution; which, with the accompanying paper, was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring)*, That of the document known as the Documentary History of the Constitution of the United States 7,000 copies be printed, of which number 2,000 shall be for the use of the Senate, 4,000 shall be for the use of the House of Representatives, and 1,000 for the use of the Department of State.

#### MEMORIAL ADDRESSES ON THE LATE SENATOR DAVIS.

Mr. NELSON. Mr. President, I desire to give notice that on Saturday, the 12th day of January next, at the close of the routine morning business, I shall submit resolutions commemorative of the life and services of my late distinguished colleague, Senator Davis. I wish also to say that I shall ask the Senate at that time to suspend all other business for the purpose of paying tribute to his memory.

#### PAY OF EMPLOYEES.

The joint resolution (H. J. Res. 281) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1900, on the 20th day of said month, was read the first time by its title.

Mr. ALLISON. That is the joint resolution we usually pass at the beginning of a holiday recess. I ask that it may be put on its passage.

The joint resolution was read the second time at length, as follows:

*Resolved, etc.*, That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and directed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1900, on the 20th day of December, 1900.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL DEMPSEY.

Mr. McENERY. I ask unanimous consent to call up the bill (H. R. 10834) granting an increase of pension to Michael Dempsey.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Dempsey, late of Company B, Seventh United States Infantry, Seminole Indian War, and to pay him a pension of \$12 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DISTRICT POLICE COURT PRACTICE.

Mr. LODGE. Mr. President—

Mr. PRITCHARD. Will the Senator yield to me for a moment?

Mr. LODGE. I desire to move that the Senate proceed to the consideration of executive business, but I yield to the Senator from North Carolina for a moment.

Mr. PRITCHARD. I ask unanimous consent to call up the bill (S. 122) to amend the act entitled "An act to amend the criminal laws of the District of Columbia," approved July 8, 1898.

The Secretary read the bill.

Mr. PETTIGREW. Is there a report with the bill?

Mr. PRITCHARD. There is a report. The bill simply provides that when parties are arrested they may put up collateral instead of personal security or give bond.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, on page 1, line 10, after the word "court," to strike out the words "or by depositing money as collateral security with the appropriate officer at the said police court or the station keeper of the police precinct within which such person may be apprehended" and to insert:

Or by depositing money as collateral security in such amount as the court, the assistant attorney for the United States, the special assistant attorney for the District of Columbia, or the lieutenant or acting lieutenant of police of the precinct in which the person is detained may determine with the clerk of the police court, or the lieutenant, or acting lieutenant of police, or the station keeper of the police precinct within which such person may be apprehended.

So as to read:

That section 1 of an act entitled "An act to amend the criminal laws of the District of Columbia," approved July 8, 1898, be, and the same is hereby, amended so that the same shall read:

"That every person charged with an offense triable in the police court of the District of Columbia may give security for his appearance for trial or for further hearing either by giving bond to the satisfaction of the court or by depositing money as collateral security in such amount as the court," etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. SPOONER. I am not certain that I heard the bill accurately. I should like to ask the Senator from North Carolina if it provides for immediate forfeiture to the United States or to the District if a defendant fails to appear? In other words, does it put a surety by the deposit of money in a position where he can not retake his money if, after a default by the defendant to appear, he produces him?

Mr. PRITCHARD. It does not.

Mr. SPOONER. That is guarded?

Mr. PRITCHARD. Yes; that is guarded.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### EXTENSION OF MINING LAWS TO SALINE LANDS.

Mr. STEWART. I ask unanimous consent to call up the bill (S. 3313) extending the mining laws to saline lands. It is a bill only three or four lines long.

Mr. LODGE. I will not object to the bill if it does not lead to debate, but I shall after that press the motion for an executive session.

Mr. STEWART. If it leads to debate, of course it will go over.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent for the present consideration of a bill which will be read to the Senate in full for its consideration.

The Secretary read the bill; which had been reported from the Committee on Mines and Mining with an amendment, to strike out all after the enacting clause and insert:

That possession and title to salt deposits and saline lands in the States of California, Oregon, Washington, Montana, Idaho, Nevada, Utah, Colorado, Wyoming, North Dakota, South Dakota, and in the Territories of New Mexico and Arizona shall be acquired under the provisions of the mining laws governing the acquisition of placer claims.

Sec. 2. That all acts and parts of acts in conflict with this act are hereby repealed.

Mr. PETTIGREW. That is a measure which, it seems to me, requires considerable consideration, and I object to its consideration this morning. I do not know that I shall continue my objection in the future after I have examined it.

Mr. STEWART. I hope the Senator will examine it.

Mr. PETTIGREW. It seems to cover a very broad question.

The PRESIDENT pro tempore. The bill will retain its place on the Calendar.

#### EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and twenty-

five minutes spent in executive session the doors were reopened, and (at 2 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, December 17, 1900, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate December 15, 1900.*

##### DISTRICT JUDGE.

James Edmund Boyd, of North Carolina, to be United States district judge for the western district of North Carolina, vice Hamilton G. Ewart, who failed of confirmation. James Edmund Boyd was temporarily appointed to the above-named position July 11, 1900, during the recess of the Senate.

##### REGISTER OF LAND OFFICE.

Albert Wheelon, of Pierre, S. Dak., to be register of the land office at Pierre, S. Dak., vice Joseph Donahue, resigned.

##### RECEIVER OF PUBLIC MONEYS.

Henry E. Cutting, of Pierre, S. Dak., to be receiver of public moneys at Pierre, S. Dak., vice David S. Harper, resigned.

##### PROMOTION IN THE ARMY.

##### Infantry arm.

Second Lieut. James Hanson, Fourteenth Infantry, to be first lieutenant, December 7, 1900, vice Smith, Fourth Infantry, promoted.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate December 15, 1900.*

##### INTERSTATE COMMERCE COMMISSIONER.

Judson C. Clements, of Georgia, to be an interstate commerce commissioner for the term of six years from the 1st of January, 1901.

##### INDIAN AGENT.

Nimrod S. Walpole, of Pueblo, Colo., to be agent for the Indians of the Jicarilla Agency in New Mexico.

#### HOUSE OF REPRESENTATIVES.

*SATURDAY, December 15, 1900.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

##### SWEARING IN OF A DELEGATE.

The SPEAKER. The Chair understands that the Delegate from Hawaii is present and desires to be sworn in. The Clerk will report the credentials to the House.

The Clerk read as follows:

##### CERTIFICATE OF ELECTION.

##### TERRITORY OF HAWAII, EXECUTIVE CHAMBER.

I, Sanford B. Dole, governor of the Territory of Hawaii, do hereby certify that Robert W. Wilcox was, on the 6th day of November, 1900, duly elected a Delegate for the unexpired term of the Fifty-sixth Congress.

Given under my hand and the great seal of the Territory of Hawaii, at the capitol in Honolulu, this 30th day of November, A. D. 1900.

[SEAL.]

SANFORD B. DOLE.

By the governor:

HENRY E. COOPER,

Secretary of the Territory.

Thereupon Mr. Wilcox appeared at the bar of the House, and the oath was administered to him by the Speaker.

##### WAR-REVENUE REDUCTION.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 12394.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 12394.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HEPBURN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of House bill 12394, and the Clerk will proceed with the reading of the bill.

Mr. NEWLANDS. Mr. Chairman, at this point I would like to offer an amendment.

Mr. PAYNE. I suggest that the section be read through.

Mr. NEWLANDS. Before this section is read, I wish to offer the amendment because the amendment I have will come in as a new section, and it should come in before the tax on legacies.

Mr. PAYNE. We have already passed that and commenced to read the following section.

Mr. NEWLANDS. We have passed the section, but I wish to put a section in between.

The CHAIRMAN. The Chair thinks it is competent for the gentleman to do that. The Clerk will report the amendment.

Mr. PAYNE. Do I understand the Chair that the amendment is in order at this time?

The CHAIRMAN. The Chair understands it is a proposition to insert a new section.

Mr. PAYNE. But we are in the midst of a section.

The CHAIRMAN. The gentleman from Nevada was on his feet when the Clerk began to read, but the Chair did not know what his purpose was.

Mr. PAYNE. I suggest, Mr. Chairman, that the section should be first completed. I suggest that we complete reading the section.

The CHAIRMAN. The Chair did not understand that the reading began in the middle of a section.

Mr. PAYNE. The Clerk had read a part of the section last night and we stopped in the middle of a section.

The CHAIRMAN. On examination the Chair finds that a portion of the section was read last night, and, under the rules of the committee, we shall have to finish the reading of the section.

Mr. NEWLANDS. Then I will offer it after the section is read.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, a parliamentary inquiry. I understood the Chair to say a moment ago that we had entered upon Schedule B when we adjourned last night. I thought at the time we adjourned that we were discussing the taxation on express packages. I want to ask that an amendment be inserted in Schedule B beginning with line 6, and I supposed that was where we commenced this morning.

The CHAIRMAN. The Chair does not understand that to be a parliamentary inquiry. On consultation with the Clerk, the Chair finds that the reading of section 9 had progressed to line 17 on page 17. So it is necessary, under the rules, that the reading of that section be completed before amendments are received.

Mr. FITZGERALD of Massachusetts. If we had gone to that extent in the bill, how does it happen that we were debating the tax on express packages?

The CHAIRMAN. The gentleman must answer that himself; it is not a parliamentary inquiry. The Clerk will read.

The Clerk proceeded and completed the reading of section 9 of the bill.

Mr. UNDERWOOD. Mr. Chairman, I want to offer an amendment. I move to strike out the word "ten," in line 22 on page 17, and insert "five," and strike out the word "ten" in line 9, page 18, and insert "five."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 17, line 22, strike out "ten" and insert "five."

On page 18, in line 9, strike out the word "ten" and insert "five."

Mr. UNDERWOOD. Mr. Chairman, two years ago, when this bill was originally enacted into law, an exemption on the inheritance tax was made of \$10,000. In other words, if the estate did not amount to more than \$10,000, it was exempt from an inheritance tax. If the estate amounted to more than \$10,000, \$10,000 of the estate was exempt. I think the clear intention of Congress was to make one exemption of \$10,000 in each estate. But since the law was originally enacted the case of Knowlton vs. Moore has been decided by the Supreme Court of the United States and the decision will be found in volume 178 of the reports of that court. In that case the court has held that the exemption as well as the rate applies to the legacy and not to the estate. If it applied to the estate, there would be but one exemption of \$10,000; but if it applies to the legacy, then if a man leaves an estate of a million dollars to ten persons there are ten exemptions of \$10,000 each, amounting in all to \$100,000.

Now, in case of an average estate, where there are four or five legacies, there occurs—not, as I believe, according to the original intention of Congress, but under the construction of the act by the Supreme Court—an exemption of \$40,000 or \$50,000. I believe that is too great an exemption. I believe in a reasonable exemption. I believe in exempting the very poor from an inheritance tax. But if we are going to levy an inheritance tax, why should there be this great discrimination? The tax is progressive; the very rich have to pay a great deal more in the way of inheritance tax than the very poor, because the rate increases.

If we reduce this exemption in the case of the inheritance tax to \$5,000 on each legacy, then, under this amendment, in the light of the decision of the Supreme Court, there will be in the case of an average family of four or five persons an exemption of at least \$20,000 or \$25,000. This, I say, is a sufficient exemption in the case of any estate. When a man leaves more than \$20,000 or \$25,000 to his family his legacies should bear some proportion of this tax. It is for this reason I approve this amendment.

Mr. PAYNE. Mr. Chairman, I never believed that Congress